

ENGLISH TRANSLATION OF THE FIRST GERMAN OFFICE ACTION

Attorney Docket No. 5562-103US

German Patent and Trademark Office
Munich, 23 May 2003
Telephone: (0 89) 21 95 – 3214
File №: 102 56 514.7 – 14
German Patent and Trademark Office – 80297 Munich
Applicant: Faurecia Autositze GmbH & Co. KG
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[Received Stamp appears]
Your ref: 601 / 193

Examination Application, Payment Date on 19 December 2002

Input dated received on

The examination of the patent application captioned above resulted in the following:

A period of

4 months

is allowed for payment, which starts with the delivery.

For documents, that may be enclosed with the statement (for example, Description, parts of the description, patent claims, drawings), two copies of each are required on separate sheets. The statement itself is required only in single copy.

If the description, the patent claims or the drawings have been amended in the course of the process, the applicant must, insofar as the amendments were not proposed by the German Patent and Trademark office, indicate separately at which point in the original documents the new characteristics described in the new documents occur.

Mr

Note on the Possibility of Utility Model Deviation

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Where an applicant has already sought, at an earlier date, a patent with effect in the Federal Republic of Germany for the same invention, he may file together with the utility model application a declaration claiming the date of filing relevant for the patent application. This derivation (§ of the Utility Model Act) may be exercised up to the expiration of two months from the end of the month in which the patent application is completed by statutory rejection, voluntary withdrawal or other withdrawal or any opposition procedure is terminated or – in the event of granting of the patent – the period for protest against the grant decision has lapsed. Complete information on the requirements of a utility model application, including the derivation, can be found in the Notes for Utility Model Applicants (G 6181), which is available at no charge from the Patent and Trademark Office and from patent information centers.

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The following cited document is named for the first time in this Notice (wherein its numbering applies also to the continuing process):

3. DE 694 06 157 T2

The aforementioned document 3 was found beyond the prior art cited by the applicant.

This publication already shows a motor vehicle seat, in particular for a rear row of seats of a motor vehicle, which can be displaced between a sitting position and a functional position, having a seat part 11 that can be displaced relative to a seat frame, a back rest 12 that can be folded relative to the seat part, a front handle 60 for releasing a seat longitudinal locking of the seat part, a rear handle 621 that can be operated from the back side of the back rest, by means of which the seat longitudinal locking of the seat part can be released, whereby it can be verified whether the seat part is in a particular position and if the seat part is in the specific position, a blocking can be released.

Accordingly the essential features of Claim 1 are known from document 1. A specialist would immediately recognize, that he can realize from the known principle of DE-T2 also other combined sliding and tilting movements.

Claim 1 is therefore inadmissible.

Nevertheless, in combination with the features of Claim 3 features going beyond those can be identified, so that a clear new main claim comprising the corresponding features would be promising of success.

Claims 2, 4 to 15 could be associated with the newly worded independent claim as genuine dependent claims with the following changes:

In Claims 4, 6 to 8, 11 and 12 the terms and relationships are not used uniformly. Accordingly, for example, for the reference number 25 the terms stop and blocking plate are used and for

ENGLISH TRANSLATION OF THE FIRST GERMAN OFFICE ACTION

Attorney Docket No. 5562-103US

reference 15 the terms bracket and overtravel protection are optionally used. Such differing terminologies for the same object are inadmissible in terms of clear and comprehensible documents.

Claim 13 contains a back reference error, because it relates back only to Claim 12.

The vague expression "respectively" is in principle undesirable in claims and should be replaced by clearer expressions.

Therefore, it is recommended that in accordance with the above, new, rewritten claims should be submitted for further prosecution of the application.

The description introduction must be adapted to the valid claims and to the determined, obviously more pertinent prior art and the problem underlying the application stated with reference to the closest state of the art.

In summary, it must be stated that using the currently existing documents a patent cannot be granted.

Examining Office for Class B 60 N

Dipl-Ing. Rippel

extension: 3001

Enclosures:

Photocopy of 1 cited document

[Seal of the "German Patent and Trademark Office 48" appears]

Prepared

illegible signature appears

Civil Servant



5562-10345

CERTIFICATE OF ACCURACY

November 25, 2003

To whom it may concern:

This is to certify that the document(s) listed below have been translated by professional translators. They are to the best of our knowledge and abilities accurate conversion(s) into English from the original German document(s).

Document(s):

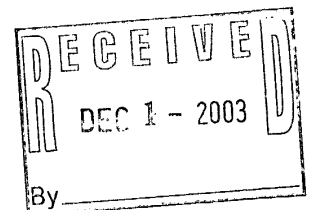
1. Motor Vehicle Seat, in particular a seat for a rear row of seats in a motor vehicle
2. Response to Notification dated May 23, 2003 – German Patent Office 601-193 bre/th
3. New Patent claims – Motor Vehicle Seat, in particular a seat for a rear row of seats in a motor vehicle
4. Examination of application 102 56 514.7 – 14 German Patent and Trademark Office

Sincerely,

Charles Teubner, Translation Manager

Sworn to and subscribed before me
this 26 day of November 2003

RITA E. TEUBNER
Notary Public of New Jersey
My Commission Expires
on 7/01/2007



PRINCETON TECHNICAL TRANSLATION CENTER

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